

RICK A. YARNALL  
CHAPTER 13 BANKRUPTCY TRUSTEE  
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E-FILED

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

IN RE:  
NICOLE E. TOSTEN

CASE NO: BKS-09-21177-LBR

CHAPTER 13

Hearing Date: September 03, 2009

Hearing Time: 1:30 pm

FRANK SORRENTINO ESQ  
Attorney for the Debtor

**TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN #1  
COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

The Trustee herein, Rick A. Yarnall, hereby objects to confirmation of Plan and hereby represents the following:

The debtor(s) filed for Chapter 13 relief on 06/26/2009. The 341(a) Meeting of Creditors held on August 11, 2009 at 11:00 am was:

- concluded

The Trustee objects to confirmation of the Chapter 13 Plan for the following reason(s):

- Other: Attorney to file motion to avoid lien of 2nd TD & have completed prior to confirmation hearing
- The debtor(s) has failed to cooperate with the Trustee [11 USC 521 (3)] as the following document(s) were not provided:
  - Original signature(s) on B21 and/or ECF
  - Bank statements: NFCU Accts: Dec-May
  - Other: Trustee objects to attorney's fees sought to be paid thru Plan. Attorney's fees exceed amount previously established by attorney; Attorney to provide detailed statement as to the amount of fees sought in this case.
- Plan to be interlineated with tax years: 09-11

THEREFORE, the Trustee objects to confirmation for the foregoing reasons and recommends that this case be dismissed and that the Trustee be allowed administrative expenses in the amount of \$150.00 per quarter the case is pending.

Dated: August 27, 2009

/s/ Rick A. Yarnall

Rick A. Yarnall, Chapter 13 Trustee